

Appl. No. 09/980,467
Amdt. dated 01/18/05
Reply to Office action of 11/02/04

REMARKS/ARGUMENTS

Status

Claims 24-41 are pending
Claims 24-32, 34-41 are rejected
Claims 31, 33, 39 are objected to.
The claims needed re-numbering.

Response to Amendment

1. Examiner acknowledges the cancellation of claims 1-18 with claims 19-23 remaining. In addition, the Examiner acknowledges new claims and recognizes new claims 19-36 as disclosed within the Preliminary Amendment on pp. 3-6 of Application No. 09/980467 filed on November 15, 2001.

Claim Rejections 35 USC 112

2. Claims 19-23 are incomplete because they are dependent upon cancelled claim 18. Furthermore, claims 19-36 have not been re-numbered. The numbering of claims is not accordance with 37 CFR 1.126, which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not). In turn, the following rejections correspond to re-numbered claims 24-41 (old claims 19-36).

From the comments above, it is somewhat ambiguous as to whether the claims have been re-numbered. ("have not been re-numbered"; "correspond to re-numbered"). It is believed that the claims have not been re-numbered.

The claims are re-numbered herewith.

Claim Rejections 35 USC 102

3. Claims 24 and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Smith et al. (US 5479172).

Regarding claims 24 and 35, Smith, who teaches a power supply and power enable circuit for an RFID transponder, teaches an RF transponder comprising a plurality of circuits, such as a power supply (via the antenna) for providing power and an input voltage (col. 3, line 62 — col. 4, line 5). In addition, Smith teaches one of the plurality of circuits comprising a Power-on Reset circuit PWREN (read as power enable circuit) for generating a reset signal for maintaining other ones of the plurality of circuits in an inoperative reset mode unless the power supply has sufficient power to ensure proper operation of the other ones of the circuits, the RF transponder characterized in that: at least one of the other ones of the plurality of circuits comprises control logic which, upon release of the reset signal, starts transmission of a data stream at a first bit of the data

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stream, in order to ensure a complete data stream (col. 4, lines 10- 29).

Claim Rejections -35 USC 103

4. Claims 25-30 and 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Urbas et al. (US 5252962).

Regarding claims 25 and 36, Smith teaches an RE transponder that includes a means for providing a reset signal (col. 5, lines 4-9). In addition, Smith teaches a delay after the reset signal is in an ON-state (power-up) (col. 10, lines 48-61); however, Smith does not disclose a flip-flop circuit for setting and clearing a state of a reset signal. Although it is known for one skilled in the art for flip-flop circuits, which alternate between states of high/low or on/off, to be interconnected with similar circuitry to form integrated circuits and microprocessor, Smith does not disclose the particular circuitry.

However, Urbas, who teaches a system monitoring programmable implantable transponder, expressively discloses a transponder 200 (Fig. 2) that comprises flip-flop circuits 604, 614 and 654, etc. (Figs. 3A and 3B and col. 7, lines 42-46). In addition, the flip-flop circuits are used for resetting (col. 7, lines 22-26). Being that flip-flop circuits are essential regarding alternating states, such as for a reset signal, it would be obvious to one of ordinary skill in the art at the time the invention was made to include the flip-flop circuit of Yamamoto into the transponder circuitry of Smith, because Smith discloses a the reset signal as power-up and power-down (col. 10, lines 59-61 and Fig. 11), which is an indication of alternating states (flip-flop), and Urbas clearly disclose the flip-flop as resetting the signal.

Regarding claims 26 and 29-30, Smith teaches a flip-flop circuit for setting and clearing a state of the reset signal with the modifications of Urbas (seen above regarding claim 25 and 36). Smith also discloses a voltage divider in that which the voltage is compared to a reference voltage (col. 5, lines 49-51). The reset circuit, which is known to one skilled in the art to include a flip-flop circuit, enables the voltage limit circuit to the flip-flop circuit so that the flip-flop circuit sets the reset signal in response to the input voltage being less than or equal to a minimum sustaining voltage, and clears the reset signal in response to the input voltage being greater than the minimum sustaining voltage (col. 4, lines 11-24).

Regarding claims 27 and 37, Smith teaches an RE transponder characterized in that the minimum sustaining voltage has different values, in different transponder operating modes (col. 5, lines 37-41).

Regarding claims 28 and 38, Smith teaches an RE transponder characterized in that: in an active transponder operating mode, that derives power for the plurality of circuits from a battery (col. 2, lines 28-41); and a passive transponder operating mode that derives power for the plurality of circuits from an RE signal received by an antenna system (col. 1, lines 62-65).

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5. Claims 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Murdoch (US 5701121).

Regarding claim 34, Smith discloses the aforementioned RF transponder wherein the Power-on Reset circuit comprising low current, comparators and Schmitt trigger inverters (col. 6, lines 51-67), and a voltage divider (col. 5, lines 49-51); however, Smith does not disclose on-chip high value poly resistances.

However, Murdoch, who teaches a transducer and interrogator device, expressively discloses the transponder as being encapsulated with a high impact resistance plastic (high value poly resistances) (col. 16, lines 64-65). Murdoch explains that it is common for all electronic components to be encapsulated in such materials; henceforth, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to have to the transponder to have the circuitry to be with an high-impact polymer resistance as suggested by Murdoch to the transponder of Smith, because Smith discusses the components within the Power-On reset circuitry, whereas Murdoch discloses the material of which the circuitry is embedded, which is known to be cost effective for manufacturing.

6. Claims 32 and 40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Takeda (US 5589819).

Regarding claims 32 and 40-41, Smith teaches a transponder characterized by: a reset signal PWREN; and at least one logic element (col. 4, lines 62-64); however, Smith does not discloses an external reset signal.

However, Takeda, who teaches a transponder (tag) device, expressively discloses an external reset signal with the Power-on Reset-generated reset signal and forming a combined reset signal, wherein the combined reset signal is set in response to either the external reset signal or the Power-on Rreset-generated reset signal being set, and the combined reset signal is cleared when the external reset signal and the Power-on Reset-generated reset signal are both clear (col. 5, lines 39-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to an external reset signal portion to enable one to manually reset the power of the tag as Takeda suggests into the tag of Smith, because Smith teaches an reset signal PWREN that is provided, whereas Takeda teaches an actual switch that enables a person to reset the power within the transponder.

Response to Rejections

Applicant elects not to traverse the rejections at this time, but rather to work with the allowable subject matter.

Allowable Subject Matter

7. Claim 33 is objected to as being dependent upon a rejected base claim, because prior art of record did not meet the limitations of a transponder comprising a logic gate that is connected

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between ground and the input of the external reset signal. In turn, claim 33 would be deemed allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claims 31 and 39 are objected to as being dependent upon a rejected base claim, because prior art of record does not expressly disclose an init delay circuit connected to a second comparator which shares control of the flip-flop circuit with the voltage limit circuit, so that the flip-flop circuit holds the reset signal in all ON-state after the beginning of power-up for a longer one of a first period of time which is a delay time and a second period of time which is a time extended while the input voltage increases to greater than a minimum voltage.

Claim 33 (apparatus) is rewritten, and should be allowed.

Claim 31 (apparatus) is rewritten, and should be allowed.

Various (appropriate ones) of the dependent apparatus claims are amended, and:

- Newly-presented claim 42 is similar to claim 27, but depends from claim 31.
- Newly-presented claim 43 is similar to claim 28, but depends from claim 42.
- Newly-presented claim 44 is similar to claim 29, but depends from claim 31.
- Newly-presented claim 45 is similar to claim 30, but depends from claim 44.
- Newly-presented claim 46 is similar to claim 34, but depends from claim 31.

Claim 39 (method) is rewritten, and should be allowed.

Claim 35 is canceled.

Claim 36 is canceled.

Claim 37 is amended to depend from allowable claim 39.

Claim 38 is canceled, and its limitations are combined into claim 37.

Claims 40 and 41 are amended to depend from allowable claim 39.

Newly-Presented Claims And Claim Count

The application was pending with 18 total claims, 2 of which (24, 35) were independent.

Various claims have been canceled (24, 35, 36), as discussed above.

Various claims have been rewritten, as discussed above.

Various claims have been added, as discussed above.

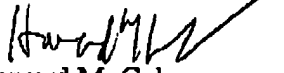
There remain a total of 20 claims (25-34, 37-46), 3 of which (31, 33, 39) are in independent form.

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Applicant's Remarks

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,


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CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office (Fax No. 703-872-9306) on January 18, 2005.

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